

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

SHAVEL ASSOCIATES, INC.,

Plaintiff,

Civil Action No. 12-07318 (PGS)

v.

ANAND INTERNATIONAL, SURESH  
GARG, RAKESH GARG AND KOMAL  
GARG,

Defendants.

**ORDER**

This matter having come before the Court on Defendants' motion to vacate default pursuant to Federal Rule of Civil Procedure 55(c), and to dismiss the Complaint pursuant to Rule 12(c) based on lack of personal jurisdiction and based on the doctrine of forum non conveniens [ECF No. 6], and on Plaintiff's cross motion to serve the Complaint on Defendants' attorneys, or in the alternative, to serve Defendants by email [ECF No. 16]; and the Court having read and considered the papers filed in support of and in opposition to the application; and having heard oral arguments on June 13, 2013; and for the reasons set forth on the record during the June 13<sup>th</sup> hearing, and for good cause shown,

**IT IS** on this 13<sup>th</sup> day of June, 2013;

**ORDERED** that Defendants' motion to vacate default and to dismiss the Complaint [ECF No. 6] is granted in part and denied in part; the motion to vacate default is granted, and the motion to dismiss is denied; and it is further

**ORDERED** that Plaintiff's cross motion to serve the Complaint on Defendants' attorneys, or in the alternative, to serve Defendants by email [ECF No. 16] is denied; and it is further

**DIRECTED** that the clerk's office issue a summons to the Plaintiff; and it is further

**ORDERED** that the Plaintiff shall attempt to serve the summons and Complaint on the Defendants pursuant to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents; and it is further

**ORDERED** that the Court will hold a telephonic conference with the parties to review the status of Plaintiff's attempts at service of process on the Defendants on August 15<sup>th</sup>, 2013 at 11:00 a.m.



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Peter G. Sheridan, U.S.D.J.